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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/676,489
	Filing Date	October 1, 2003
	First Named Inventor	Clelland, Patrick J.
	Art Unit	3721
	Examiner Name	Smith, Scott A.
Total Number of Pages in This Submission	Attorney Docket Number	83126.000002

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Acknowledgement Postcard
		Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Roger Aceto, HARTER, SECREST & EMERY LLP
Signature	
Date	October 25, 2004

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Signature		Date	October 25, 2004

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Clelland, Patrick J. Atty. Docket: 83126.000002
Serial No.: 10/676,489 Examiner: Smith, Scott A.
Filed: October 1, 2003 Art Unit: 3721
Title: PORTABLE DRILLING APPARATUS

RESPONSE TO REQUIREMENT FOR RESTRICTION

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed October 15, 2004,
Applicant hereby elects the invention of Group I (Claims 1-19).

Restriction has been required as between the invention of Group I (Claims 1-19) drawn to a portable drill classified in Class 173, subclass 152; and the invention of Group II (Claims 20 and 21) directed to a method of assembling a tool classified in Class 29, subclass 428.

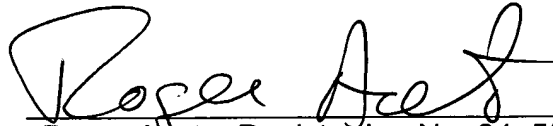
The Applicant urges that both the apparatus claims and method claims are properly maintained in a single application, as they merely constitute alternate ways of claiming the same invention. In particular, it is clear that the method claim 20 is merely the method counterpart to the apparatus as set out in claim 17. For example,

- apparatus claim 17 recites structure that maintains the hydraulic cylinders parallel (see elements "a" and "c"); method claim recites the step of "arranging" the cylinders "one parallel to the other".
- Apparatus claim 17 recites front and rear supports "connectable" to the support rods; method claim 20 recites the step of "connecting the forward and aft ends of the support rods one to another."

- Apparatus claim 17 recites a mounting plate "connectable at opposite ends to the barrels" and a drill motor "carried by the" mounting plate; method claim 20 recites the step of "releaseably attaching " the mounting plate to each of the barrels, the mounting plate "carrying a drill motor."

Accordingly, it would appear that the requirement for restriction is improper and that all claims are properly maintained in a single application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger Aceto", written over a horizontal line.

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Dated: October 25 2004